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~~plural numbered dialing keys include a first set of keys whose operation causes said processor to change from the call origination mode to the operating mode in which a call cannot be originated and a second set of keys whose operation causes said processor to stay in the call origination mode, said first set of keys not overlapping said second set of keys.~~

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--28. (new) The telephone of claim 27, wherein said second set includes keys for "0" and "1" and said first set includes two of said plural numbered dialing keys that are next to each other.

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--29. (new) The telephone of claim 28, wherein said processor performs a search of stored telephone numbers when a key in said first set of keys is operated.--

REMARKS

The specification has been amended to make editorial changes therein.

Claims 1-19 were pending. These claims have been replaced with new claims 20-29. Consideration and allowance of the new claims are respectfully requested.

The new claims are directed to an embodiment of the present invention in which, among other features, the change from the call origination mode to an operating mode in which a call cannot be originated is based on the identity of the operated one

of the plural numbered dialing keys.

Claims 1-16 were rejected as anticipated by VALIMAA et al. 5,926,769 and claims 17-19 were rejected as unpatentable over VALIMAA et al. in view of SCHROEDER et al. 5,797,098. The new claims are believed to avoid these rejections and reconsideration and withdrawal of the rejections are respectfully requested.

VALIMAA et al. disclose a telephone in which depression of a key for a prolonged period of time causes the operating mode to change (column 4, lines 15-31). Even though the identity of the key is determined, any key can be used to change the mode and the time the key is depressed, not its identity, determines whether the operating mode is to change. The reference does not disclose or suggest changing the mode based on the identity of the operated one of the keys. Accordingly, the new claims avoid the rejection under §102.

The reference also does not disclose or suggest features of the dependent claims. For example, claim 22 provides two sets of keys, where the mode is changed when a key in the first set is depressed and the mode does not change when a key in the second set is depressed. Claim 23 further defines the first and second sets. VALIMAA et al. do not provide for the claimed two sets of keys.

SCHROEDER et al. do not make up for the shortcomings of VALIMAA et al. and thus a combination of these references does not render the new claims unpatentable.

NAKAJIMA S.N. 09/504,875

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Attached hereto is a marked-up version showing the changes made to the specification. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

YOUNG & THOMPSON

By

Thomas W. Perkins  
Attorney for Applicant  
Registration No. 33,027  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone: 703/521-2297

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NAKAJIMA S.N. 09/504,875

"VERSION WITH MARKINGS TO SHOW CHANGES MADE"

IN THE SPECIFICATION:

Page 2, the paragraph, beginning on line 8, bridging pages 2 and 3, has been amended as follows:

--In conjunction with the above description, a telephone is disclosed in Japanese Laid Open Patent Application (JP-A-Heisei 8-181760). In this reference, a received signal by an antenna [(1)] is supplied to a modulating/demodulating section [(3)] via a radio section [(2)] and demodulated there. Then, a compressed speech data is separated from the demodulated signal by a TDMA processing section [(4)] and decoded by a speech codec section [(6)] so that a received speech signal is supplied to a speaker [(7)]. A transmission speech signal is coded by the speech codec section [(6)] and then subjected to a multiplexing process in the TDMA processing section [(4)]. Further, after a modulating process by the modulating/demodulating section [(3)], the multiplexed signal is transmitted from the antenna [(1)] via the radio section [(2)]. A memory [(13)] stores a telephone directory data. A telephone directory data searching key of a key input section [(11)] such as an up key and a down key which are different from dialing numeral keys. At this time, an operation mode is changed from a wait mode to a telephone directory mode so that a first portion of the telephone directory data is displayed on a display section [(16)]. Each time the

searching key is operated, a next portion of the telephone directory data is displayed on the display section [(16)].--.

Page 2, the paragraph, beginning on line 10, has been amended as follows:

--Also, a portable phone is disclosed in Japanese Laid Open Patent Application (JP-A-Heisei 9-261744). In this reference, a portable phone has a redialing function and a telephone directory function. A volume adjusting key [(54)] is provided on a side surface of a main body [(40)]. The key [(54)] is used to adjust the volume when a currently received speech is outputted. The key [(54)] is used as a replay volume in case of speech replay. The volume adjusting key [(54)] functions as an adjusting key of a call arrival volume (call originating volume) within a predetermined time after a function key [(43)] is operated. When the key [(54)] is operated in the other states, an operation mode is changed to a search mode so that it is possible to search a redial data and a telephone directory data by use of the key [(54)].--.